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EXAMINER

NGUYEN, NHON D

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 05/21/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/592,599

Applicant(s)

WANG ET AL.

Examiner

Nhon (Gary) D Nguyen

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 11 March 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. This communication is responsive to amendment A, filed 3/11/2003.
2. Claims 1-28 are pending in this application. Claims 1, 10 and 20 are independent claims.

This action is made final.

### *Claim Rejections - 35 USC § 102*

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3, 6-12, 15-22 and 25-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Lea et al ("Lea", US #6032202).

As per independent claim 1, Lea teaches a method for providing a user interface for controlling devices that are currently connected to a network, the method comprising the steps of:

for at least one of said devices:

obtaining information from one or more of the devices currently connected to the network, said information including device information (col. 3, lines 5-12); and

generating a user interface description based at least on the obtained information, the user interface description including a reference associated with the device information of each of said devices currently connected to the network, such that the reference includes at least one link to information contained in said devices currently connected to the network (col. 2, lines 57-67).

As per claim 2, which is dependent on claim 1, Lea teaches the step of generating a user interface description further includes the steps of generating the user interface description such that the reference in the user interface description provides access to at least the information in each corresponding device (col. 3, lines 1-4).

As per claim 3, which is dependent on claim 1, Lea teaches the step of generating a user interface description further includes the steps of generating the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device (col. 6, lines 58-67 through col. 7, lines 1-9).

As per claim 6, which is dependent on claim 1, Lea teaches the device information in each device includes device identification information (col. 7, lines 20-27 and col. 9, lines 27-33).

As per claim 7, which is dependent on claim 1, Lea teaches the device information in each device includes a user control interface description for user interaction with the device (col. 6, lines 40-48).

As per claim 8, which is dependent on claim 7, Lea teaches the step of generating a user interface description further includes the steps of generating the user interface description such that each reference in the user interface description is to at least the user control interface description in each corresponding device (col. 2, lines 57-67 through col. 3, lines 1-4, and col. 6, lines 40-48).

As per claim 9, which is dependent on claim 7, Lea teaches the step of generating a user interface description further includes the steps of generating the user interface description such that the user interface description further includes device data corresponding to each device based on the information obtained from each device, the device data providing reference to the user control interface description in each device (col. 6, lines 58-67 through col. 7, lines 1-9).

As per independent claim 10, Lea teaches a network system for performing a service, comprising:

a physical layer, wherein the physical layer provides a communication medium that can be used by devices to communicate with each other (col. 7, lines 62-67);

one or more devices connected to the physical layer (col. 7, lines 62-67), each device storing information including device information (col. 6, lines 40-48);

an agent in at least one device for:

obtaining information from one or more of the devices currently connected to the network, said information including device information (col. 3, lines 5-12); and

generating a user interface description based at least on the obtained information, the user interface description including a reference associated with the device information of each of said devices currently connected to the network, such that the reference includes at least one link to information contained in said devices currently connected to the network (col. 2, lines 57-67).

As per claim 11, which is dependent on claim 10, it is a similar scope to claim 2; therefore, it should be rejected under similar rationale.

As per claim 12, which is dependent on claim 10, it is a similar scope to claim 3; therefore, it should be rejected under similar rationale.

As per claim 15, which is dependent on claim 10, it is a similar scope to claim 6; therefore, it should be rejected under similar rationale.

As per claim 16, which is dependent on claim 10, it is a similar scope to claim 7; therefore, it should be rejected under similar rationale.

As per claim 17, which is dependent on claim 16, it is a similar scope to claim 8; therefore, it should be rejected under similar rationale.

As per claim 18, which is dependent on claim 16, it is a similar scope to claim 9; therefore, it should be rejected under similar rationale.

As per claim 19, which is dependent on claim 10, it is a similar scope to claim 2 and 3; therefore, it should be rejected under similar rationale.

As per independent claim 20, it is a similar scope to claim 10; therefore, it should be rejected under similar rationale.

As per claim 21, which is dependent on claim 20, it is a similar scope to claim 11; therefore, it should be rejected under similar rationale.

As per claim 22, which is dependent on claim 20, it is a similar scope to claim 12; therefore, it should be rejected under similar rationale.

As per claim 25, which is dependent on claim 20, it is a similar scope to claim 15; therefore, it should be rejected under similar rationale.

As per claim 26, which is dependent on claim 20, it is a similar scope to claim 16; therefore, it should be rejected under similar rationale.

As per claim 27, which is dependent on claim 26, it is a similar scope to claim 17; therefore, it should be rejected under similar rationale.

As per claim 28, which is dependent on claim 26, it is a similar scope to claim 18; therefore, it should be rejected under similar rationale.

***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 4, 5, 13, 14, 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lea in view of Venkatraman et al ("Venkatraman", US #5956487).

As per claims 4 and 5, which are both dependent on claim 1, Lea does not disclose the step of generating the user interface description further includes the steps of associating a hyper-text link with the device information of each of said devices currently connected to the network and the information in each device comprises an HTML page contained in that device. Venkatraman discloses that in col. 3, lines 5-61. It would have been obvious to an artisan at the time of the invention to use the teaching from Venkatraman of associating a hyper-text link with the device information of one or more of said first and second devices in Lea's method since HTML would allow the devices to interface with Internet, from service providers, via HTTP protocol.

As per claim 13, which is dependent on claim 10, it is a similar scope to claim 4; therefore, it should be rejected under similar rationale.



As per claim 14, which is dependent on claim 10, it is a similar scope to claim 5; therefore, it should be rejected under similar rationale.

As per claim 23, which is dependent on claim 20, it is a similar scope to claim 13; therefore, it should be rejected under similar rationale.

As per claim 24, which is dependent on claim 20, it is a similar scope to claim 14; therefore, it should be rejected under similar rationale.

### ***Response to Arguments***

7. Applicant's arguments filed 3/11/2003 with respect to claims 1-28 have been fully considered but they are not persuasive.

Applicants argued the following:

(a) As per independent claim 1, Lea does not disclose the steps of generating a user interface for controlling devices that are currently connected to the network, by obtaining information from one or more of the devices currently connected to the network. Lea does not disclose any of the limitations in step (b) of claim 1, including: "generating a user interface description based at least on the obtained information", "the user interface description including a reference associated with the device information of each of said devices currently connected to the network", "such that the reference includes at least one link to information contained in said devices currently connected to the network". Lea does not teach the concept of using links in the

user interface description, wherein the links provide access to information stored in devices connected to the network.

(b) As per claim 2, Lea does not teach that this API is in a user interface description. Nor does Lea teach that the API provides access to information in a corresponding device for generating a user interface. Indeed, Lea is clearly stating that the API is an application programming interface for other applications to access and manipulate a device. This has nothing to do with the claimed invention wherein a link for each device is included in a user interface description, wherein that link is later used to access information such as user interface data in that device to generate a user interface for user interaction with that device.

(c) As per claims 3, 7, 8, and 9, Lea does not disclose the steps of generating any type of user interface description according to the claimed invention.

(d) As per claim 6, Lea does not teach the limitations of claim 6, and certainly there is no mention of device identification information.

(e) As per claim 10, Lea does not disclose “an agent” in a device for obtaining information and generating a user interface description.

(f) As per claim 19, Lea does not provide “means for generating at least a user interface by: using each reference in a user interface description to access the information in each corresponding device, and generating the user interface including device data corresponding to each device using the accessed information in each device.

(g) As per claim 20, Lea does not disclose “an agent” in multiple devices for obtaining information and generating a user interface description.

(h) As per claims 4 and 5, Venkatraman does not disclose “generating a user interface description” nor does Venkatraman disclose generating such a user interface description by “associating a hyper-text link with the device information of each of said devices currently connected to the network”. There is no teaching in Venkatraman of associating a hyper-text link with the device information of each of said devices currently connected to the network.

(i) One of ordinary skill in the art would not look to combine Lea and Venkatraman. Nor is there a motivation or suggestion in either reference to do so. Even if Lea and Venkatraman are combined as suggested by the Patent Office, the result does not teach or suggest the claimed invention. Further, such a combination would simply mean including a web server in each device of Lea. This provides no advantage for the purpose of Lea which is providing interoperability and integration of a plurality of devices in a network. Lea is simply not concerned with, nor is appropriate for, the Patent Office's proposed modification to allow Lea's devices to interface with Internet, from service providers, via HTTP protocol. At any rate, such a modified system does not teach the limitations of Claim 4. Indeed, such a modified system teaches away from the claimed invention herein.

(j) As per Claim 5, Venkatraman does not disclose that the information in each device comprises an HTML page contained in that device. Further, the web server software of Venkatraman does not provide HTML to other devices in a network. Further, as discussed, there is no motivation or use in combining Lea and Venkatraman, and such a combination does not teach the claimed invention herein. As such, rejection of Claim 5 should be withdrawn.

The Examiner disagrees for the following reasons:

(a) Lee does teach the steps of generating a user interface for controlling devices that are currently connected to the network, by obtaining information from one or more of the devices currently connected to the network at col. 6, lines 58-67 through col. 7, lines 1 (*An icon representing the appliance may then appear on the television screen*). Each icon is in fact a user interface description associated with a connected device based on the obtained information. Furthermore, Fig. 12A-12B; col. 25, lines 9-22 give an example of a user interface of a device (camcorder) connected to the network. The interface in fig. 12A-12B is in fact “including a reference associated with the device information of each of said devices currently connected to the network”, “such that the reference includes at least one link to information contained in said devices currently connected to the network”. By that Lea does teach the concept of using links in the user interface description, wherein the links provide access to information stored in devices connected to the network.

(b) According to Lea's system, each device's API is a device control module to provide access information interface to other devices on the network (col. 20, lines 2-20). Furthermore, DCM is also responsible for the UI aspects of the device, and a UI is used to interface with users (col. 19, lines 49-52). Lea also describes: “*each appliance includes within it self-describing information concerning the user interface and the device control that can be used by an external controller*” in col. 6, lines 44-48. When a device is first connected to the network, a controller such as an intelligent television obtains the UI and API for the appliance, and generates a user interface description, represented by an icon, appears on the television screen providing access to the information in the connected device (col. 6, lines 58-67 through col. 7, lines 1).

(c) Lea does teach the steps of generating user interface description in claims 1 and 2 above.

(d) Lea in fact does teach the device information in each device includes device identification information by disclosing, "When new devices join the home network, they are recognized and added to a global name database (registry). The registry holds information about their characteristics and provides a reference to a handler for that device." in col. 9, lines 27-33.

(e) The same argument of claim 1 is applied here.

(f) The same arguments of claims 2 and 3 are applied here.

(g) The same argument of claim 1 is applied here.

(h) As per claims 4 and 5, Venkatraman in fact does disclose "generating a user interface description" by stating "*Any of the devices 50-52 that implement the device web page mechanisms disclosed herein may provide device specific user interface web pages to the web browser 40 via the home-based network 30*" in col. 5, lines 47-50. He also discloses generating such a user interface description by "associating a hyper-text link with the device information of each of said devices currently connected to the network" in fig. 3; by clicking on the hyper-text links 66, 67, and 68, the users can access to the printer device information that currently connects to the network. By that Venkatraman indeed does teach associating a hyper-text link with the device information of each of said devices currently connected to the network.

(i) In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the

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knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, as per claims 4 and 5, one of ordinary skill in the art would indeed be motivated to look to combine Lea's home network control system and Venkatraman's web access mechanism in a home-based network system (fig. 2) because it would upgrade Lea's home network control system to the latest web/HTML graphical user interface and HTTP network technologies in order to make his system easier to adapt to the web/Internet network.

(j) As per Claim 5, Venkatraman indeed does disclose that the information in each device comprises an HTML page contained in that device (col.3, lines 30-31; *the web server 14 generates a web page 18 that defines a set of user interface functions for the device 10. The web page 18 is a Hypertext markup Language (HTML) file.*

### ***Conclusion***

**8. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

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however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

*Inquiries*

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon (Gary) D Nguyen whose telephone number is 703-305-8318. The examiner can normally be reached on Monday - Friday from 8 AM to 5:30 PM with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kistine L Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

Nhon (Gary) Nguyen  
May 16, 2003

*Kristine Kincaid*  
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